

1
2 BILL NO. G-85-10-14 (AS AMENDED)
3

GENERAL ORDINANCE NO. D26-85

4 AN ORDINANCE amending Chapter 33 of the
Municipal Code of the City of Fort Wayne, Indiana.
5

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
7 OF FORT WAYNE, INDIANA:

8 SECTION 1. Delete Section 33-14 (f) (3) e. ii.
9 and replace with the following:

10 (ii) Permitted uses include all B2C uses and
11 additionally bowling alleys, arcades, and Automobile
12 Showrooms, to a total of 48,000 sq. ft. devoted to this use
13 per Shopping Center, except that no repair, paint or body
work shall be conducted in connection with such showroom
and that there shall be no storage or display of vehicles
outside of the building.

14 SECTION 2. That this ordinance shall be in full
15 force and effect from and after passage and approval by
16 the Mayor.

17
18
19 _____ Councilmember

20 APPROVED AS TO FORM AND LEGALITY:
21

22 _____
23 BRUCE O. BOXBERGER, CITY ATTORNEY
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2 BILL NO. G-85-*10-14*

3 GENERAL ORDINANCE NO. _____

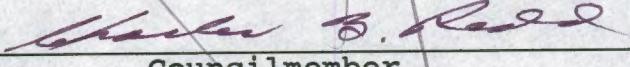
4 AN ORDINANCE amending Chapter 33 of the
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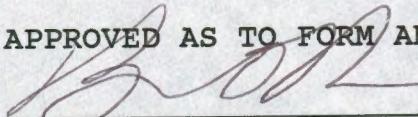
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
7 OF FORT WAYNE, INDIANA:

8 SECTION 1. Delete Section 33-14 (f)(3) e. ii. and
9 replace with the following:

10 (ii) Permitted uses include all B2C uses and
11 additionally bowling alleys, arcades, and Automobile Showrooms
12 for no more than ten (10) vehicles, except that no repair,
paint or body work shall be conducted in connection with
such showroom and that there shall be no storage or display
of vehicles outside of the building.

13 SECTION 2. That this ordinance shall be in full
14 force and effect from and after passage and approval by
15 the Mayor.

17 
18 Councilmember

19 APPROVED AS TO FORM AND LEGALITY:


20 BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Redd,
seconded by Dalton, and duly adopted, read the second time
by title and referred to the Committee Deed (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____.M., E.

DATE: 10-8-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd,
seconded by Lewis, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BRADBURY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>BURNS</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>EISBART</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>HENRY</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>REDD</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>STIER</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TALARICO</u>	<u>✓</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

DATE: 11-12-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) — (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. D-2685
on the 12th day of November, 1985.

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 13th day of November, 1985,
at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of November,
1985, at the hour of 3:30 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON																											
Zoning Ordinance Amendment																													
DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Specific Location and/or Address N/A</td> <td style="padding: 5px;">POSITIONS</td> <td style="padding: 5px;">RECOMMENDATIONS</td> </tr> <tr> <td style="padding: 5px;">Reason for Project Amendment would allow for an additional use in B-2-D District.</td> <td style="padding: 5px;">Sponsor</td> <td style="padding: 5px;">City Plan Commission</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">Area Affected</td> <td style="padding: 5px;">City Wide</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">Other Areas</td> </tr> <tr> <td style="padding: 5px;">Discussion (Including relationship to other Council actions)</td> <td style="padding: 5px;">Applicants/ Proponents</td> <td style="padding: 5px;">Applicant(s) City Plan Commission City Department Other</td> </tr> <tr> <td style="padding: 5px;">October 21, 1985 - Public Hearing Plan Commission staff stated that this provision was for the added use of an Automobile Showroom, excluding repair, paint or body work, and storage or display of vehicles outside of the building. The discussion centered around the already existing showrooms located in Glenbrook and Southtown Mall and the fact that the ordinance was limiting the number of cars to 10, which would make these showrooms non-conforming. It was suggested that the staff consider making a maximum sq. footage stipulation part of the amendment instead of limiting the number of cars. There was no one present who wished to speak in favor of or in opposition to the proposed amendment. October 28, 1985 - Business Meeting Following discussion the ordinance was amendment to eliminate the number of cars allowed in the showrooms and changed</td> <td style="padding: 5px;">Opponents</td> <td style="padding: 5px;">Groups or Individuals Basis of Opposition</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">Staff Recommendation</td> <td style="padding: 5px;"><input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">Board or Commission Recommendation</td> <td style="padding: 5px;">By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;">CITY COUNCIL ACTIONS (For Council use only)</td> <td style="padding: 5px;"><input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass</td> </tr> </table>			Specific Location and/or Address N/A	POSITIONS	RECOMMENDATIONS	Reason for Project Amendment would allow for an additional use in B-2-D District.	Sponsor	City Plan Commission		Area Affected	City Wide			Other Areas	Discussion (Including relationship to other Council actions)	Applicants/ Proponents	Applicant(s) City Plan Commission City Department Other	October 21, 1985 - Public Hearing Plan Commission staff stated that this provision was for the added use of an Automobile Showroom, excluding repair, paint or body work, and storage or display of vehicles outside of the building. The discussion centered around the already existing showrooms located in Glenbrook and Southtown Mall and the fact that the ordinance was limiting the number of cars to 10, which would make these showrooms non-conforming. It was suggested that the staff consider making a maximum sq. footage stipulation part of the amendment instead of limiting the number of cars. There was no one present who wished to speak in favor of or in opposition to the proposed amendment. October 28, 1985 - Business Meeting Following discussion the ordinance was amendment to eliminate the number of cars allowed in the showrooms and changed	Opponents	Groups or Individuals Basis of Opposition		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against		Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass
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DETAILS

to allow showrooms up to a maximum of 48,000 sq. ft. devoted to such use.

Motion was made and carried to recommend a DO PASS on the amended ordinance.

Of the 8 members present 7 voted in favor of the DO PASS recommendation and one did not vote.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date September 1985

Projected Completion or Occupancy

Date November 4, 1985

Fact Sheet Prepared by
Patricia Biancaniello

Date November 1985

Reviewed by
Layla Baeten
Reference or Case Number

Date 11/4/85

Admn. Appr. _____

ORIGINAL

DIGEST SHEET

ORIGINAL

B-85-10-14

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Provisions are added for use as an Automobile Showrooms, conditioned on limits to the number of vehicles, and excluding repair, paint or body work, and storage or display of vehicles outside of the building.

EFFECT OF PASSAGE Amendment would allow an additional use in a B-2-D District.

EFFECT OF NON-PASSAGE No additional use in the B-2-D would be allowed.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. H-85-10-14 (as Amended)

REPORT OF THE COMMITTEE ON

REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) AN ORDINANCE amending
Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana.

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION)

YES

NO

Charles S. Reed CHARLES B. REDD
CHAIRMAN

Janet G. Bradbury JANET G. BRADBURY
VICE CHAIROWMAN

James S. Stier JAMES S. STIER

Ben A. Eisbart BEN A. EISBART

Donald J. Schmidt DONALD J. SCHMIDT

CONCURRED IN 11-12-85

SANDRA E. KENNEDY
CITY CLERK